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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,272	04/01/2004	Brian Maxson	705397.4010	2294

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ORRICK, HERRINGTON & SUTCLIFFE, LLP
IP PROSECUTION DEPARTMENT
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IRVINE, CA 92614-2558

EXAMINER

TRAN, TRANG U

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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02/15/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/817,272

Applicant(s)

MAXSON ET AL.

Examiner

Trang U. Tran

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/01/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group III, claims 22-30 in the reply filed on December 13, 2007 is acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 22-23 and 26 are rejected under 35 U.S.C. 102(b) as being anticipate by Fendley (US Patent No. 4,686,429).

In considering claim 22, Fendley discloses all the claimed subject matter, note 1) the claimed a screen is met by the screen 18 (Fig. 1, col. 3, line 52 to col. 4, line 61), 2) a projection unit optically coupled to the screen is met by the CRT 14 (Fig. 1, col. 3, line 52 to col. 5, line 57), 3) the claimed a plurality of beacon dots positioned about the periphery of the screen is met by the plurality of phosphor dots 24, 26 and 28 (Fig. 1, col. 3, line 52 to col. 5, line 20), and 4) the claimed a detection system optically coupled to the screen and the plurality of beacon dots is met by the quadrant detectors 44 (photodetectors) which positioned adjacent to and aligned with the lens 40 and is adapted to detect the defocused line image transmitted through the lens (Fig. 1, col. 5, line 21 to col. 8, line 44).

In considering claim 23, the claimed wherein the detection system includes a photocell and a lens coupled to the photocell is met by the quadrant detectors 44 (photodetectors) which positioned adjacent to and aligned with the lens 40 and is adapted to detect the defocused line image transmitted through the lens (Fig. 1, col. 5, line 21 to col. 8, line 44).

In considering claim 26, the claimed wherein the detection system comprises an optical element and a detector element comprising an array of photodetectors, the optical element being adapted to map a plurality of regions of measurement (ROMs) onto the detector element is met by the quadrant detectors 44 (photodetectors) which positioned adjacent to and aligned with the lens 40 and is adapted to detect the defocused line image transmitted through the lens and microcomputer's ROM and RAM (Fig. 1, col. 5, line 21 to col. 10, line 60).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 24-25 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fendley (US Patent No. 4,686,429).

In considering claim 24, Fendley discloses all the limitations of the instant invention as discussed in claims 22-23 above, except for providing the claimed wherein the lens is a fish eye lens. The capability of using the lens is a fish eye lens is old and

well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of the lens is a fish eye lens into Fendley's system since it merely amount selecting available components.

In considering claim 25, Fendley discloses all the limitations of the instant invention as discussed in claims 22-23 above, except for providing the claimed wherein the lens is an insect eye lens. The capability of using the lens is an insect eye lens is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of the lens is an insect eye lens into Fendley's system since it merely amount selecting available components.

In considering claim 27, Fendley discloses all the limitations of the instant invention as discussed in claims 22 and 26 above, except for providing the claimed wherein the optical element comprises an array of lenses. The capability of using the optical element comprises an array of lenses is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of the optical element comprises an array of lenses into Fendley's system since it merely amount selecting available components.

In considering claim 28, Fendley discloses all the limitations of the instant invention as discussed in claims 22, 26 and 27 above, except for providing the claimed wherein the lenses are convex and hexagonal. The capability of using the lenses are

convex and hexagonal is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of the lenses are convex and hexagonal into Fendley's system since it merely amount selecting available components.

In considering claim 29, Fendley discloses all the limitations of the instant invention as discussed in claims 22, 26 and 27 above, except for providing the claimed wherein the lenses are Fresnel lenses. The capability of using the lenses are Fresnel lenses is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of the lenses are Fresnel lenses into Fendley's system since it merely amount selecting available components.

In considering claim 30, Fendley discloses all the limitations of the instant invention as discussed in claims 22 and 26 above, except for providing the claimed wherein the optical element comprises a hologram. The capability of using the optical element comprises a hologram is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of the optical element comprises a hologram into Fendley's system since it merely amount selecting available components.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chauvin et al. (US Patent No. 6,707,509 B2) disclose method for adjusting convergence in a projection television receiver.

Thielemans (US Patent No. 6,717,625 B1) discloses method and device for adjusting one or more projectors.

Noguchi et al. (US Patent No. 5,883,476) disclose convergence correction system with recovery function and display apparatus using the same.

Nelson et al. (US Patent No. 6,808,270 B2) disclose closed loop three color alignment for digital projection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 11, 2008



Trang U. Tran
Primary Examiner
Art Unit 2622